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Gp/2811

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Typed or Printed Name of Person Mailing Paper or Fee: Patricia Aguillon

Signature: Pat Aguillon

PATENT  
Docket No. P1025

#5

Election

FJONES

10-18-01

TECHNOLOGY CENTER 2000  
OCT 17 2001

**IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS: ROBERT B. OGLE, JR.  
MARK T. RAMSBEY  
TUAN DUC PHAM

SERIAL NO.: 09/607,675 EXAMINER: NGUYEN, C.

FILED: JUNE 30, 2000 ART UNIT: 2811

FOR: DUAL-PURPOSE ANTI-REFLECTIVE COATING AND SPACER  
FOR FLASH MEMORY AND OTHER DUAL GATE  
TECHNOLOGIES AND METHOD OF FORMING

**BOX NON FEE AMENDMENT  
COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231**

**RESPONSE TO OFFICE ACTION**

Dear Sir:

This letter is responsive to the Office Action dated October 1, 2001. The Applicants hereby make the election submitted below.

**RESTRICTION**

**The Examiner has restricted the pending claims as follows:**

- Group I: Claims 1-5, drawn to a semiconductor device, classified in class 257, subclass 314.
- Group II: Claims 6-13, drawn to a method of making a semiconductor device, classified in class 438, subclass 100+.

D931

**ELECTION**

Applicant hereby elects Claims 1-5 in Group I with traverse. The Applicants respectfully submit that the non-elected claims 6-13 recite a method of manufacturing the device of the elected claims.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Victor Flores", with a long horizontal flourish extending to the right.

Victor Flores  
Reg. No. 29,638

VF:vp  
October 10, 2001  
LARIVIERE, GRUBMAN & PAYNE, LLP  
Post Office Box 3140  
Monterey, CA 93942  
(831) 649-8800



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**TRANSMITTAL LETTER**

Dear Sir:

In connection with the above-referenced patent application, transmitted herewith are the following:

1. Election of Invention in Response to Office Action (2 pages); and
2. Post card in acknowledgment of receipt of all transmitted materials.

Please date-stamp the enclosed post cards and return same to the undersigned in acknowledgment of receipt of all transmitted materials.

Respectfully submitted,

Victor Flores  
Victor Flores  
Reg. No. 29,638

VF:vp  
October 10, 2001  
LARIVIERE, GRUBMAN & PAYNE, LLP  
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Monterey, CA 93942  
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